

AN ORDINANCE

99946

AUTHORIZING THE PURCHASE OF A 6.816 ACRE TRACT FROM MARY LORRAINE VAN DE WALLE FOR THE AMOUNT OF \$593,802.00, LOCATED AT THE SOUTHWEST CORNER OF HAUSMAN ROAD AND WOLLER ROAD IN CITY COUNCIL DISTRICT 8; APPROPRIATING \$605,725.00 IN 2003-2007 PARK BOND FUNDS; AMENDING THE PROJECT BUDGET AND ALLOCATING \$11,923.00.00 FOR LAND ACQUISITION EXPENSES.

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WHEREAS, Park Bond Funds were approved in 2003 for the Hausman Road Park Land Acquisition and Development Project in City Council District 8; and

WHEREAS, the City currently owns property (17.293 acres) near the intersection of Hausman Road and Woller Road that has been designated for the Hausman Road Branch Library and Park Project; and

WHEREAS, RVK Architects, Inc. was selected to design the overall project, which is underway and is being coordinated by the Public Works Department; and

WHEREAS, an adjacent parcel of 6.816 acres is needed to complete the master plan of the area, which includes sports fields, a library, parking and park amenities; and

WHEREAS, the property has been determined to be a critical component to the development of the existing property, is outside of the 100-year floodplain and is relatively flat; therefore, it is appropriate for development of practice sports fields associated with the Regional Youth Sports Facility Project, which was also approved for this area in the 2003 Bond Issue; and

WHEREAS, Mary Lorraine Van De Walle has agreed to sell the property for the amount of \$593,802.00, an amount higher than the appraised value of \$371,000.00; and

WHEREAS, said acquisition has been reviewed by the City's Planning Commission, who recommended that the purchase price should not be more than 10% above the appraised value of \$371,000.00, which is \$408,100.00; and

WHEREAS, based upon the time associated with condemnation (12-18 months), the owner's position that the property will be worth a significant amount once adjacent roadways are added by the City and the amount the City will spend on attorneys' fees if condemnation is pursued, it is recommended by staff that the asking price of \$593,802.00 be paid; and

WHEREAS, said acquisition requires a survey, an appraisal, closing costs and environmental site assessment, thereby necessitating the appropriation of funds for such costs; and

WHEREAS, it is now necessary to approve the purchase of said property, amend the project budget, authorize the appropriation of 2003 Park Bond Funds into the project budget, authorize

payment of associated costs for this property acquisition and approve funds for closing costs and fees; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

Section 1. The City of San Antonio hereby authorizes the purchase of approximately 6.816 acres of land out of the Mathis Cooper Survey No. 344, Abstract 162, NCB 14615, in the City of San Antonio, Bexar County, Texas, being the same tract of land described in a Warranty Deed filed for record in Volumn 6849, Page 1294, Real Property Records of Bexar County, Texas for the amount of \$593,802.00 for use as public park land. The Interim City Manager, or his designee is hereby authorized to take the necessary actions to execute documents for the purchase of said property.

Section 2. The amount of \$605,725.00 is appropriated in SAP fund 45804000, 2003 Park Bonds, in WBS element entitled Trf to 45099000, 26-00111-90-01, SAP GL account 6102100 - Interfund Transfers Out. The amount of \$605,725.00 is authorized to be transferred from SAP fund 45804000 to SAP fund 45099000.

Section 3. The budget in SAP fund 45099000, General Obligation Capital Projects, Project Definition 26-00111, shall be revised by increasing WBS element 26-00111-90-01, entitled "Trf Fr 45804000", SAP Gl Account 6101100 - Interfund Transfers In, by the amount of \$605,725.00.

Section 4. The amount of \$593,802.00 is appropriated in SAP fund 45099000, General Obligation Capital Projects, Project Definition 26-00111, in WBS element 26-00111-03-02 , entitled Land Acquisition Costs, and is authorized to be encumbered and made payable to Alamo Title Company for land acquisition, in connection with the Hausman Road Park Land Acquisition & Development project, when the purchase order is issued.

Section 5. The amount of \$2,000.00 is appropriated in SAP fund 45099000, General Obligation Capital Projects, Project Definition 26-00111, in WBS element 26-00111-03-01-02, entitled Appraisals / Environmental Study, and is authorized to be encumbered for appraisal and environmental assessment fees, in connection with the Hausman Road Park Land Acquisition & Development project, when the purchase orders are issued.

Section 6. The amount of \$4,000.00 is appropriated in SAP fund 45099000, General Obligation Capital Projects, Project Definition 26-00111, in WBS element 26-00111-03-01-09, entitled Title Fees / Closing Cost, and is authorized to be encumbered for title fees and closing costs, in connection with the Hausman Road Park Land Acquisition & Development project, when the purchase orders are issued.

Section 7. The amount of \$5,923.00 is appropriated in SAP fund 45099000, General Obligation Capital Projects, Project Definition 26-00111, in WBS element 26-00111-03-01-05, entitled Boundary Survey Fees, and is authorized to be encumbered for survey expenses, in connection with the Hausman Road Park Land Acquisition & Development project, when the purchase orders are issued.

Section 8. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the Interim City Manager or the Interim City Manager's designee, correct allocation to specific SAP

Fund Numbers, SAP Project Definitions, SAP WBS Elements, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

Section 9. This ordinance shall become effective on and after November 14, 2004.

PASSED AND APPROVED this 4th day of November 2004.



M A Y O R

EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney